

E 420

.D37

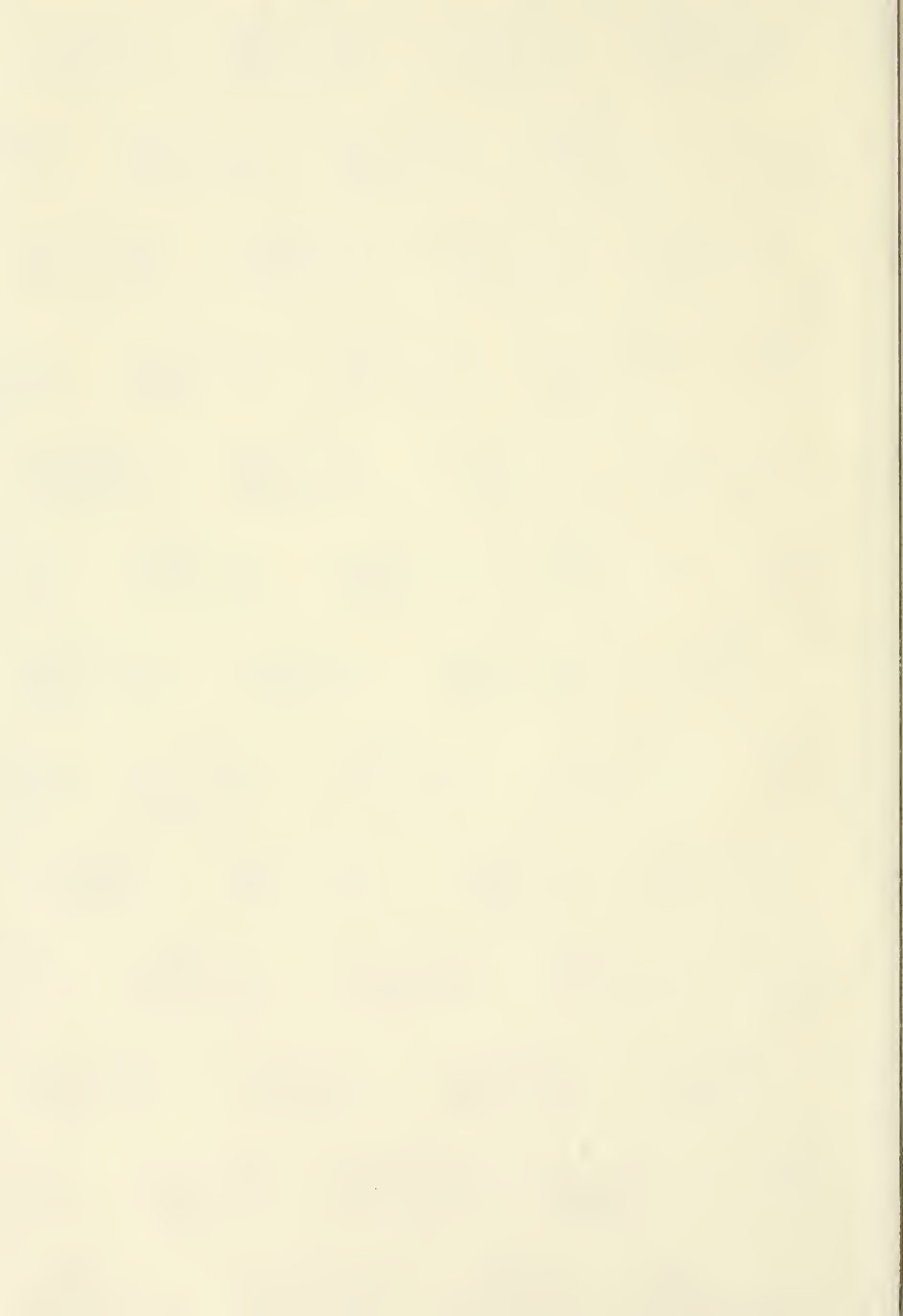
LIBRARY OF CONGRESS



00005023452







GEN. CASS AND THE QUINTUPLE TREATY.

Democratic part. National committee. 1846-1847. 1064

We ask the attention of the American people to the protest of General Cass against the quintuple treaty, whilst the minister of our government at France. This combination, entered into by the five principal powers of Europe, under the specious plea of suppressing the slave-trade, was designed by its authors to place the ships of the United States and the commerce of the world under the control of the naval power of Great Britain—rendering our vessels liable to be detained from their voyage, searched, and sent to a British court of admiralty for trial and adjudication.

With the keen sagacity of a consummate statesman, General Cass foresaw the consequences to result from this combination, and, like a great general upon a field of battle, seizing the favorable moment—although acting upon his own responsibility, and without the authority of his government—crushed the measure in the bud! A triumph without a parallel in the history of diplomacy, and a service to his country unequalled in its beneficial results in the history of the government.

Were it the only act in his long life of brilliant public service, this alone would place him among the benefactors of his country, by the side of Washington, and Jefferson, and Franklin.

Mr. Cass to Mr. Webster.

LEGATION OF THE UNITED STATES,
Paris, February 15, 1842.

SIR: I have not heretofore considered it necessary to write you officially respecting the state of affairs here, having relation to the question of the right of search depending between the American and British governments. But though no direct diplomatic action seemed advisable till recently, I did not the less observe the progress of events, nor neglect, by proper conversations and explanations with those who, from their position, influenced them, to convey a just notion of the subject, in its relation not only to the United States, but to all other maritime powers who do not seek the supremacy of the seas. And I have the satisfaction to believe that my exertions were not wholly useless, either with respect to public opinion or to public measures. I have kept you informed in my private communications of the progress of affairs, as well as of my own course of unofficial action; and I have transmitted also such of the French journals as seemed, in addition to the other information, best calculated to convey to you a correct idea of the state of affairs here, and of public feeling.

But I have just taken a step which renders necessary a full and free report of the condition of things here, and of the reasons which have led me to adopt this measure. My letter of the 13th instant to the Minister of Foreign

Affairs, a copy of which I enclose, will make known to you my general sentiments concerning the relation in which we are placed with the French government by the signature of the quintuple treaty for the suppression of the slave trade, and by the declarations of Lord Palmerston and Lord Aberdeen concerning the measures which they claim to be indispensable to its execution. I need add nothing upon this subject.

I hesitated, at first, respecting the true course to be adopted. That it was proper to bring officially to the notice of the French government the declaration of that of Great Britain, that the conclusion of these treaties created an obligation and conferred a right to violate the flag of the United States, I did not entertain a doubt. What was true of the duty of one of the parties, was true of the duty of each of them. Either, therefore, the claim of Great Britain was well founded, and in that event the government of France was about to contract new obligations which might bring it into collision with the United States—a result I was certain it did not contemplate; or the claim was unjust, and in that event the treaty was about to be made the pretext of a direct attack upon our rights and honor by one of the parties, assuming to be governed by the obligations it had contracted toward the other associated powers: a state of things which gave us a right to call upon them to disavow such pretensions, and either to withdraw from an arrangement which was becoming so menacing to us, or to declare by a solemn act that it was not susceptible of such a construction, and should not, with their consent, be employed for such a purpose. My first impression was, to present a formal protest against the ratification of the treaty; but considering that I had no instructions to take so decided a measure, and that it would be more respectful to the French government, of whose friendly disposition to the United States I have had numerous evidences, and probably quite as useful, to state generally the bearing of the whole matter upon the United States, without claiming any specific action, I finally determined to take this course, and the letter to Mr. Guizot is the consequence.

I shall now proceed to make some remarks upon this general subject which may not be useless in the consideration which the government will necessarily give to it. For some years the English journals have with much art turned the public attention of Europe from the great question of maritime right and of the freedom of the seas, involved in our discussions with Great Britain, connected with the measures to be adopted for the suppression of the slave trade, and directed it to that infamous traffic, sometimes asserting and sometimes insinuating that our opposition to the co-operation their government proposed originated in the miserable motive of profit—the profit to be derived from the most wretched of all commerce. But, thanks to the progress of truth, our cause is now well understood upon the continent of Europe; and, as in all sudden reactions where injustice has been unwilfully done, the public sentiment here and elsewhere is setting strongly in our favor. The question has not again been presented in either of the chambers; but the indications in the journals, and in all societies, are too clear to be understood.

Circumstances have placed us in a position

firmly maintained, will be equally honorable to ourselves, and useful to all other powers interested in the freedom of the seas. Depend upon it, we have reached one of those epochs in the progress of a nation to which history looks back, if not as decisive of its destiny, at all events as influencing it, and as controlling its character and its conduct for a long series of years. England has advanced a pretension which we can never submit to without dishonor. And, in its enunciation, she has spared our pride as little as our rights. On the 27th of August, 1841, she avows the determination, and claims the right, to search our ships; and this interpolation into the law of nations is advanced with a coolness which might well surprise us, if anything could surprise us, in the march of human ambition.

The pretension is not put forth as a debatable point, to be discussed between the two governments, and to be settled in a mutual spirit of amity. But Lord Palmerston distinctly tells us, that the exemption of the vessels of the United States from search is a doctrine to which the British government never can nor will subscribe. And he adds, with a rare comity, indeed, that he hopes "the day is not far distant when the government of the United States will cease to confound two things which are in their nature entirely different—will look to things, and not to words—and, becoming wiser from the lessons thus taught, will suffer the British cruisers to search their vessels, at all times and in all places, and content themselves with calling it a visit! For myself, I see no mutual concession by which the parties may be brought together. A contested territory may be divided, and a claim for pecuniary injury may be reduced and satisfied, but we cannot divide a great principle—one of the attributes of our independence—nor reduce the sphere of its operation. We can only demand its inviolability with its just consequences. Under these circumstances, the first question is, if we shall yield? and that being answered in the negative, (as I am satisfied it will be, by the universal feeling of the country,) the next is, will England yield? It is our safer course to believe that she will not; and looking to her line of policy, that too is our most rational course. Wherever she has planted her foot, whether on marsh, moor, or mountain, under the polar circles as under the tropics—I will not say never, that word does not belong to the deeds of man—but rarely has she voluntarily withdrawn it. Whenever she has asserted a pretension, she has adhered to it through evil report and through good report, in prosperity and in adversity, with an iron will and with a firm hand, of which the history of the world furnishes, perhaps, no equal example since the proudest days of the Roman empire. In this consistency of purpose, and in the excess even of patriotism, which ministers to it, there is something noble and imposing; and I am among the last to deny the beautiful traits of the English character, or the benefits which England has rendered to the world by her example and her efforts. But she is not the less dangerous in her schemes of ambition from these redeeming considerations; and the time has come when we must look her designs in the face, and determine to resist or to yield. War is a great evil; but there are evils greater than war, and among these is national degradation. This we have never yet experienced, and I trust we never shall. If Lord Ashburton goes out with such modified propositions upon the various questions now pending between the two governments as you can honorably accept, the result will be a subject of lasting gratification to our country; and more particularly if, as I trust, before entering into any discussions, he is prepared to give such explanations as will show that we have misunderstood the intentions of the British government respecting this claim of a right to change the law of nations, in order to accommodate it to their treaty stipulations and its practical consequence—a claim to enter and search our vessels at all times and in all places. This preliminary proceeding would be worthy of the gravity of the circumstances, and equally honorable to both governments. It seems to me, it is due to I allude to it in this connexion, because the subject necessarily presents itself to the French government,

and because I feel confident that they are not prepared to support the pretensions of Great Britain.

We have already given one memorable example of moderation to the world in the rejection of a unanimous application from a neighboring people for admission into our confederacy; and this, too, of a territory among the most fertile and valuable upon the face of the earth, and destined to become our rival in the production of some of our richest staple articles. When accused of ambition, we may point to this proof of self-denial, and challenge an equal instance of its exercise. It is a fact worth volumes of professions of disinterestedness and of disclaimers of all desire of self-aggrandisement.

It is not to be disguised that the quintuple treaty for the suppression of the slave-trade was intended to act upon the United States by its moral force. As to France and England, their co-operation in the necessary measures for the abolition of that traffic was already secured by the treaties of 1831 and 1833; and as to Prussia, Russia, and Austria, I suppose neither of them ever had, or ever will have, a vessel engaged in that commerce. But it was hoped, certainly by one of the parties, that this great combination would either induce the United States to follow their example and submit themselves to the measures indicated, or that it would lead to the establishment of some new principles of maritime law without them. But the subject is now so well understood, that we have little to fear from this great combination so long sought and so highly applauded. Its moral force, as the "Journal des Débats" justly observes, is gone. The discussion in the Chamber of Deputies, and the almost unanimous condemnation of the treaty, will have indicated to you the true state of feeling here; and you will not fail to appreciate the importance of the emphatic declaration of Mr. Guizot, during the debates, that the Americans were right, and that France, in the same circumstances, would do the same thing. The value of this testimonial to the justice of our course, made by such a statesman in the face of Europe, can hardly be overrated.

Our true policy is to discourage all great combinations having for their object the regulation of maritime principles and police. European confederations for the regulation of European questions, do not come within the sphere of our policy, as they touch neither our rights nor our interests. But when these powers extend their care and their jurisdiction over the ocean, I think the time has arrived for us to make ourselves heard. No nation is more interested than we are in the freedom of commerce, and we do not advance a single pretension which can give just cause of umbrage to any other country. If, indeed, a general congress of nations could be assembled where all might be represented, the weak as well as the strong, then we might fairly take our place there, and recognise its decisions as obligatory. But this is a measure so doubtful in itself, as well as in its consequences, that it is our interest, as it is the interest of all people who do not conceal any projects of aggrandisement in a professed desire to meliorate the maritime code of nations, to adhere to that code as they find it. This adherence to the established state of things, is certainly not inconsistent with any arrangement which two nations may be disposed to make for a single purpose, and for a limited time, to which they may be impelled by considerations of general benevolence. Certainly, if Great Britain and the United States choose to restrain their citizens from any traffic condemned by moral considerations, and to regulate their joint action upon the subject, they may do so without subjecting themselves to any imputations of interested or ambitious motives. Each must judge for itself whether such a combined movement is in accordance with its policy, or with the nature of its institutions. Both may agree to keep squadrons upon the coast of Africa to suppress the slave trade, and upon the coast of China to suppress the opium trade—branches of commerce destructive of human life and happiness; the latter of which has the advantage of being prohibited by the government of China, and the disadvantage (if we can credit but a small part of the statements of that government) of being far more injurious in its consequences. It is not, however, a power which should act

the former. But these mutual agreements, dictated by the most charitable motives, would act merely upon the citizens of the respective countries, executing them without overawing others by their imposing form, and without leading to the establishment of any new principle of maritime law.

Nothing can explain to us more clearly the danger of these great combinations, if it does not reveal the object of one or more of the parties in their establishment, than the principle, so frankly developed by Lord Aberdeen, that this "happy concurrence" creates new duties and obligations, before whose justice and necessity the law of nations gives way, and to which the interests and independence of nations are sacrificed. I was therefore much pleased to read, in the message of the President of the United States to Congress at the commencement of the present session, his emphatic declaration that the United States would not submit to any such pretension. The powers of Europe, strong or weak, must understand, if necessary, that our country, in taking her place in the family of nations, took it with the same rights as the greatest of them, and there will maintain it, unmoved by any confederation which may be formed, and wholly without the sphere of its operations.

The Quintuple treaty has not yet been ratified by France, nor will it be, I think, without some essential alterations. It is understood that the English government are much dissatisfied at this determination. The Queen's speech, however, at the opening of the session, and Sir Robert Peel's remarks last week in answer to a question of Lord Palmerston, seem to take for granted the French ratification. But certainly, when the British premier made those remarks, he knew the discussion in the Chamber of Deputies and the state of public opinion here, and he ought to have known that a constitutional ministry would hesitate before they would incur the responsibility of such an act.

I observe that Lord Palmerston, in the remarks prefatory to his question, dwells upon the *disinterestedness* of his country and of the other parties to this treaty. This is the old topic of eulogy for England, as its reverse is intended to be of reproach for us. But its day has gone by. Europe fully understands the subject; and in public as in private life, it is not the most disinterested who are always avowing the purity of their intentions. One would think there were objects of misery enough at home to occupy the attention of any English statesman, without that excess of philanthropy which would tilt a spear at every nation, and light up the flames of a general war, in order to accomplish its own charitable views, in its own exclusive way, almost at the end of the world. It brings forcibly to recollection one of the vagaries of Rousseau, that there are people who love those who are placed at the extremities of the earth, in order to excuse themselves for not loving their own neighbors.

In all that precedes, I believe there is not a word which, if need be, would not be re-echoed by every American citizen in Paris. We are here in the midst of stirring circumstances, and can form a safe judgment of the dangers which menace us. If England pushes her purpose into action, we shall have a severe struggle to encounter; and the sooner and the more vigorously we prepare for it, the better. If she does not, we shall gain by our exhibition of firmness, and the very state of preparations may lead her to recede. But permit me to press upon you the necessity of instant and extensive arrangements for offensive and defensive war. All other questions—personal, local, and political—should give way before this paramount duty. England has fearful means of aggression. No man can yet tell the effect which the use of steam is to produce upon great warlike operations, and, with her accustomed sagacity, she has accumulated a large force of steam-vessels. A hostile squadron might at any time carry to the United States the first news of war. And it would not be a war like the last one, conducted in many cases by incompetent officers and feebly prosecuted; but she would put

hope that the excellent suggestions of the Secretaries of War and of the Navy respecting national defence may find general support.

You may naturally think that this is not a very diplomatic despatch. It is not so, certainly, so far as diplomacy consists in mystery either of thought or expression. I have felt strongly, and I have attempted to speak plainly. I do not belong to the school of that well-known French statesman, who said that language was given to conceal thoughts. If necessary, I must claim your indulgence for my candor, in consideration of my motives. I see the difficult position of my country, and most anxious am I that it should be seen and appreciated at home. That done, I have no fear for the result. If the sentiments I have expressed are not those of the government and people of my country, then I have lived a stirring life, and mixed with my countrymen in every situation, without having learned the American character.

You will perceive that, in my letter to M. Guizot, I have taken upon myself the responsibility of my interposition. Your course is perfectly free to avow or disavow my conduct. The President will decide as the public interest requires. I do not shut my eyes to the gravity of the circumstances in which I am placed. In the unforeseen emergency which presents itself, I have pursued the course that appeared to me to be dictated by the honor and interest of our country, and I have the satisfaction to believe that my measures will not be wholly without beneficial results. It is now for the government to judge what is its own duty, and to determine whether my conduct shall be approved or disapproved.

I am, sir, very respectfully, your obedient servant,

LEW. CASS.

HONORABLE DANIEL WEBSTER,
Secretary of State, Washington.

LEGATION OF THE UNITED STATES,
Paris, February 13, 1842.

SIR: The recent signature of a treaty, having for its object the suppression of the African slave trade, by five of the powers of Europe, and to which France is a party, is a fact of such general notoriety, that it may be assumed as the basis of any diplomatic representations which the subject may fairly require.

The United States, being no party to this treaty, have no right to inquire into the circumstances which have led to it, nor into the measures it proposes to adopt, except so far as they have reason to believe that their rights may be involved in the course of its execution. Their own desire to put a stop to this traffic is everywhere known, as well as the early and continued efforts they have adopted to prevent their citizens from prosecuting it. They have been invited by the government of Great Britain to become a party to the treaty, which should regulate the action of the combined governments upon the subject. But, for reasons satisfactory to themselves, and I believe satisfactory to the world, they have declined this united action, and have chosen to pursue their own measures, and to act upon their own citizens only, without subjecting these to any kind of foreign jurisdiction.

In a communication from Lord Palmerston, her Britannic Majesty's principal Secretary of State for Foreign Affairs, to Mr. Stevenson, the American minister at London, dated 27th August, 1841, Lord Palmerston claims a right for the British cruisers, and avows the intention of his government to exercise it, to search American vessels at sea, in time of peace, with a view to ascertain their national character. He adds, that "this examination of papers of merchantmen suspected of being engaged in the slave trade, even though they hoist a United States flag, is a proceeding which it is absolutely necessary that British cruisers employed in the suppression of the slave trade should continue to practice," &c. &c.

In a communication from the successor of Lord Aberdeen to Mr. Stevenson, dated October 13, 1841, the views and determination announced in the first are con-

firmed; and Lord Aberdeen thus states the ground upon which rests this pretension to search American vessels in time of peace: "But the undersigned must observe that the present happy concurrence of the states of Christendom in this great object, (the suppression of the slave trade,) not merely justifies, but renders indispensable the right now claimed and exercised by the British government." That is to say, the right of entering and examining American vessels to ascertain their nationality.

It is no part of my duty to offer any comments upon this pretension, nor upon the reasons advanced in support of it. And if it were, I should find the duty far better performed for me, than I could perform it for myself, in the annual message of the [President of the] United States to Congress of December 7, 1841. In that document will be found the views of the American government upon this subject; and it is there emphatically declared that "however desirous the United States may be for the suppression of the slave-trade, they cannot consent to interpolations into the maritime code, at the mere will and pleasure of other governments. We deny the right of any such interpolation to any one, or all the nations of the earth, without our consent. We claim to have a voice in all amendments or alterations of that code; and when we are given to understand, as in this instance, by a foreign government, that its treaties with other nations cannot be executed without the establishment and enforcement of new principles of maritime police, to be applied without our consent, we must employ language neither of equivocal import, nor susceptible of misconstruction."

You will perceive, sir, by these extracts, that the British government has advanced a pretension which it asserts to be indispensable to the execution of its treaties for the suppression of the slave trade, and to which the President of the United States has declared that the American government will not submit. This claim of search, it will be observed, arising, as is asserted, out of existing obligations, has relation to the isolated treaties for the abolition of this traffic, which were in force at the date of the communications of Lord Palmerston and of Lord Aberdeen. It is now known, that the combined treaty upon this subject is more extensive in its operations, and more minute in some of the details of its execution, than the separate treaties with France which preceded it, and equally indefinite in the duration of its obligations. Of course, measures which were not only "justifiable, but indispensable" for the execution of the latter, will find equal justice and necessity in the obligations of the former.

With this previous declaration made by one of the parties to this quintuple treaty, concerning its operations, the American government cannot shut their eyes to their true position. The moral effect which such a union of five great powers, two of which are eminently maritime, but three of which have perhaps never had a vessel engaged in that traffic, is calculated to produce upon the United States, and upon other nations who, like them, may be indisposed to these combined movements, though it may be regretted, yet furnishes no just cause of complaint. But the subject assumes another aspect when they are told by one of the parties that their vessels are to be forcibly entered and examined in order to carry into effect these stipulations. Certainly the American government does not believe that the high powers, contracting parties to this treaty, have any wish to compel the United States by force, to adapt their measures to its provisions, or to adopt its stipulations. They have too much confidence in their sense of justice to fear any such result; and they will see with pleasure the prompt disavowal made by yourself, sir, in the name of your country, at the tribune of the Chamber of Deputies, of any intentions of this nature. But were it otherwise, and were it possible they might be deceived in this confident expectation, that would not alter in one tittle their course of action. Their duty would be the same, and the same would be their determination to fulfil it. They would prepare themselves with apprehension, indeed, but without dismay—with regret, but with firmness, for one of those desperate

struggles which have sometimes occurred in the history of the world, but where a just cause and the favor of Providence have given strength to comparative weakness, and enabled it to break down the pride of power.

But I have already said the United States do not fear that any such united attempt will be made upon their independence. What, however, they may reasonably fear, and what they do fear, is, that in the execution of this treaty measures will be taken which they must resist. How far the acts of one of the parties putting its construction upon its own duties, and upon the obligations of its co-contractors, may involve these in any unlooked-for consequences, either by the adoption of similar measures or by their rejection, I do not presume to judge. Certain it is, however, that if the fact and the principle advanced by Lord Aberdeen are correct, that these treaties for the abolition of the slave-trade cannot be executed without forcibly boarding American ships at sea in time of peace, and that the obligations created by them confer not only the right thus to violate the American flag, but make this measure a duty, then it is also the duty of France to pursue the same course. Should she put this construction upon her obligations, it is obvious the United States must do to her as they will do to England, if she persists in this attack upon their independence. Should she not, it does not become me to investigate the nature of her position with respect to one of her associates, whose opinion respecting their relative duties would be so widely different from her own. But I may express the hope that the government of his Majesty, before ratifying this treaty, will examine maturely the pretensions asserted by one of the parties, and see how these can be reconciled not only with the honor and interest of the United States, but with the received principles of the great maritime code of nations. I may make this appeal with the more confidence, from the relations subsisting between France and the United States, from a community of interest in the liberty of the seas, from a community of opinion respecting the principles which guard it, and from a community in danger should it ever be menaced by the ambition of any maritime power.

It appears to me, sir, that in asking the attention of his Majesty's government to the subject of the quintuple treaty, with a view to its reconsideration, I am requesting nothing on the part of the United States inconsistent with the duties of France to other powers. If, during the course of the discussions upon this treaty, preparatory to the arrangement of its provisions, England had asserted to the other parties, the pretension she now asserts to the United States, as a necessary consequence of its obligations, I cannot be wrong in presuming that France would not have signed it without guarding against this impending difficulty. The views of England are now disclosed to you, but fortunately before its ratification. And this change of circumstances may well justify the French government in interposing such a remedy as it may think is demanded by the grave interests involved in this question.

As to the treaties of 1831 and 1833, between France and Great Britain, for the suppression of the slave trade, I do not consider it my duty to advert to their stipulations. Their obligations upon the contracting parties, whatever these may be, are now complete; and it is for my government alone to determine what measures the United States ought to take to avert the consequences with which they are threatened by the construction which one of the parties has given to these instruments.

I have the honor to transmit herewith a copy of the message of the President of the United States to Congress, in December last, and of the annual documents which accompanied it. Among the latter will be found the correspondence between the British Secretaries of State and Mr. Stevenson upon the subject herein referred to. From these, you will learn the respective views of the American and British governments.

It is proper for me to add, that this communication had been made without any instructions from the United States. I have considered this case as one in which an American representative to a foreign power should act

without awaiting the orders of his government. I have presumed, in the views I have submitted to you, that I express the feelings of the American government and people. If in this I have deceived myself, the responsibility will be mine. As soon as I can receive despatches from the United States in answer to my communications, I shall be enabled to declare to you either that my conduct has been approved by the President, or that my mission is terminated.

I avail myself, &c.,

LEWIS CASS.

His Excellency Mr. GUIZOT,
Minister of Foreign Affairs.

Mr. Cass to Mr. Webster.

LEGATION OF THE UNITED STATES,
Paris, April 30, 1842.

SIR: The quintuple treaty, purporting to be for the suppression of the slave-trade, has not yet been ratified by France; and the manifestations of public opinion against it are so numerous and decisive, that it seems to be too clearly the part of true wisdom to yield to them, to render it probable that that measure will ever be adopted.

Mr. Guizot has not answered my letter of the 13th February, and I have now no expectation he will do so, till the course of our government upon the subject is known here. I have yet received nothing from you upon the subject, but I am expecting every day your instructions. If the President should disapprove the step I have taken, I could no longer remain here, with honor to myself, or with advantage to our country.

I am, sir, very respectfully, your obedient servant,
LEWIS CASS.

HON. DANIEL WEBSTER,
Secretary of State, Washington.

Mr. Webster to Mr. Cass.

DEPARTMENT OF STATE,
Washington, April 5, 1842.

SIR: By the arrival of the steampacket at Boston, on the 27th day of last month, I had the honor to receive your several despatches down to the 26th of February. That vessel had been so long delayed on her passage to America, that, after the receipt here of the communications brought by her, there was not time to prepare answers in season to reach Boston before the time fixed for her departure on her return. The most I was able to do was to write a short note to Mr. Everett, to signify that the mail from London had come safe to hand.

The President has been closely attentive to recent occurrences in Europe, connected with the treaty of the five powers, of which we received a copy soon after its signature in December. He has witnessed, with especial interest, the sentiments to which that treaty appears to have given rise in France, as manifested by the debates in the Chambers, and the publication of the Parisian press; and he is now officially informed of the course which you felt it to be your duty to take, by the receipt of a copy of the letter addressed by you to Mr. Guizot on the 13th of February.

When the President entered upon the duties of his present office, in April of last year, a correspondence, as you know, had been long pending, and was still pending, in London, between the minister of the United States and her Britannic Majesty's Secretary of State for Foreign Affairs, respecting certain seizures and detentions of American vessels on the coast of Africa, by armed British cruisers, and generally respecting the visitation and search of American vessels by such cruisers in those seas. A general approbation of Mr. Stevenson's notes to the British minister in regard to this subject was soon after communicated to that gentleman, by the President's order, from this department. The state of things in England in the early part of last summer did not appear to favor a very active continuance or prosecution of this correspondence; and as Mr. Stevenson had already received permission to return home, no new instructions were addressed to him.

Circumstances occurred, as you are aware, which delayed Mr. Everett's arrival at the post assigned to him as minister to London; and, in the mean time, in the latter part of August, the correspondence between Lord Palmerston and Mr. Stevenson was, somewhat unexpectedly, resumed afresh, not only on the subject of the African seizures, but on other subjects.

Mr. Everett arrived in London only in the latter part of November, and, in fact, was not presented to the Queen until the 16th day of December. While we were waiting to hear of his appearance at his post, the session of Congress was fast approaching; and, under these circumstances, the President felt it to be his duty to announce, publicly and solemnly, the principles by which the government would be conducted in regard to the visitation and search of ships at sea. As one of the most considerable, commercial, and maritime States of the world, as interested in whatever may in any degree endanger or threaten the common independence of nations upon the seas, it was fit that this government should avow the sentiments which it has heretofore always maintained, and from which it cannot, under any circumstances, depart. You are quite too well acquainted with the language of the message, on which your letter is bottomed, to need its recital here. It expresses what we consider the true American doctrine, and that which will, therefore, govern us in all future negotiations on the subject.

While instructions for Mr. Everett were in the course of preparation, signifying to him in what manner it might be practicable to preserve the peace of the country, consistently with the principles of the message, and yet so as to enable the government to fulfil all its duties, and meet its own wishes, and the wishes of the people of the United States, in regard to the suppression of the African slave-trade, it was announced that the English government had appointed Lord Ashburton as special minister to this country, fully authorized to treat of and definitively settle all matters in difference between the two countries. Of course no instructions were forwarded to Mr. Everett respecting any of those matters. You perceive, then, that up to the present moment we rest upon the sentiments of the message. Beyond the fair scope and purport of that document, we are not committed on the one hand nor on the other. We reserve to ourselves the undiminished right to receive or to offer propositions on the delicate subjects embraced in the treaty of the five powers, to negotiate thereupon, as we may be advised; never departing from our principles, but desirous, while we carefully maintain all our rights to the fullest extent, of fulfilling our duties also, as one of the maritime states of the world.

The President considers your letter to Mr. Guizot to have been founded, as it purports, upon the message delivered by him at the opening of the present session of Congress; as intending to give assurance to the French government that the principles of that message would be adhered to; and that the government of the United States would regret to see other nations, especially France, an old ally of the United States, and a distinguished champion of the liberty of the seas, agree to any arrangement between other States, which might, in its influences, produce effects unfavorable to this country; and to which arrangement, therefore, this country itself might not be able to accede.

The President directs me to say that he approves your letter, and warmly commends the motives which animated you in presenting it. The whole subject is now before us here, or will be shortly, as Lord Ashburton arrived last evening; and without intending to intimate, at present, what modes of settling this point of difference with England will be proposed, you may receive two propositions as certain:

1st. That, in the absence of treaty stipulations, the United States will maintain the immunity of merchant vessels on the sea, to the fullest extent which the law of nations authorizes.

2d. That, if the government of the United States, motivated by a sincere desire to put an end to the African slave trade, shall be induced to enter into treaty stipulations,

tions, for that purpose, with any foreign power, those stipulations will be such as shall be strictly limited to their true and single object, such as shall not be embarrassing to innocent commerce, and such especially, as shall neither imply any inequality, nor can tend in any way to establish such inequality, in their practical operations.

You are requested to communicate these sentiments to M. Guizot, at the same time that you signify to him the President's approbation of your letter; and are requested to add an expression of the sincere pleasure which it gives the President to see the constant sensibility of the French government to the maintenance of the great principles of national equality upon the ocean. Truly sympathizing with that government in abhorrence of the African slave-trade, he appreciates the high motives and the comprehensive views of the true, permanent interest of mankind, which induces it to act with great caution in giving its sanction to a measure susceptible of interpretations, or of modes of execution, which might be in opposition to the independence of nations and the freedom of the seas.

I am, &c.,

DANIEL WEBSTER.

LEWIS CASS, Esq., &c., &c., &c.

Mr. Cass to Mr. Webster.

LEGATION OF THE UNITED STATES,

Paris, May 17, 1842.

SIR: I have the honor to acknowledge the receipt of your despatch of the 5th April, and am happy to find that the course which I considered it necessary to take in relation to the ratification by France of the quintuple treaty for the suppression of the slave-trade has met the approbation of the President.

Immediately on the receipt of your letter, I sought an interview with Mr. Guizot; and, after some conversation with him, I placed the letter in his hands. I thought this mode of procedure far better than to trust myself to make a verbal statement, to be afterward put in the form of an official communication to him. As you instructed me to make known the sentiments of the President upon the whole matter, I was sure I could not perform this task as well as I found it performed for me; and this view was not checked by any considerations arising out of the nature of the despatch. There was nothing in it which might not be seen by all the world.

Mr. Guizot was touched by the frankness of the proceeding, and testified his gratification after the perusal of the letter. He then asked for a copy of it, which I did not hesitate to promise him; and since then I have sent it; and have thus, in my opinion, in the best mode in my power, carried into effect your instructions.

Mr. Guizot said nothing on the subject of an answer. The treaty is not ratified, as I have now the confident expectation that it will not be, it is possible he may consider that the occasion for an answer has passed by.

I am, sir, respectfully, your obedient servant,

LEW. CASS.

HON. DANIEL WEBSTER,

Secretary of State, Washington.

Mr. Cass to Mr. Webster.

LEGATION OF THE UNITED STATES,

Paris, May 26, 1842.

SIR: Since my despatch of the 17th instant, the question of the ratification of the quintuple treaty has been discussed in the Chamber of Peers and in the Chamber of Deputies; and the sentiments expressed were unanimous against the measure. It is now well understood that the subject is at rest in France, and that no ministry will venture to recommend ratification. Efforts will no doubt be made, and I think eventually with success, for the abrogation of the treaties of 1831 and 1833.

The question of the budget is a subject which, by the action of the French Chambers, allows great latitude of discussion. Connected with this matter, the commercial relations between France and the United States have just

been warmly debated. I send you the *Moniteur*, which contains an account of the proceedings. It is well worth your examination, and I think ought to be translated and published for the information of the country. It is lamentable to find such erroneous notions prevailing in such a high place, respecting the true character of the trade between France and the United States. You will see that the speakers complain of two grievances: first, of the navigation, and second, of the duties proposed to be levied on foreign productions imported into the United States. As to the former, it is, as you know, upon a footing of perfect equality; and as to the latter, if it were (as it is not) a just subject of interference for a foreign government, France is one of the last countries which has any just right to complain.

Her prohibitive system, commenced so long ago as Cobett, has been continued, with little relaxation, to this day. You cannot fail to be struck by the views advanced by most of the speakers, and the gravity with which they urge reprisals against the United States. But I assure you that these sentiments are general in France; and such are the exclusive views taken of these subjects by the press, that it is hopeless to expect to change public opinion. We have nothing to do but to pursue our own measures firmly, leaving to other governments to meet them as they think proper.

As soon as I read the debate in the *Moniteur*, I called upon Mr. Guizot to converse with him upon the subject. I found him very reasonable, though not fully acquainted with the details of the matter. He says, however, that he is looking into it, and that nothing will be hastily done. It is my decided opinion that there is no efficient remedy for the present state of things, but by a commercial treaty which shall regulate our intercourse with France. I recommend that measures with that view be taken without delay; and I think the negotiations can be better carried on at Washington than here. If full powers and general instructions are given to the French minister there, you may calculate with a reasonable probability upon a successful termination of your efforts. He would understand the true state of things better than they are or can be understood here. The government has too many important subjects on hand to be able to devote the proper time for the acquisition of all the necessary facts which belong to this subject.

I am, sir, respectfully, your obedient servant,

LEW. CASS.

HON. DANIEL WEBSTER,

Secretary of State, Washington.

Mr. Cass to Mr. Webster.

LEGATION OF THE UNITED STATES,

Paris, May 31, 1842.

SIR: I have the honor to transmit herewith the copy of a letter which I have received from the Minister of Foreign Affairs in answer to my letter to him of 13th February, concerning the quintuple treaty.

I have merely said, in acknowledging the receipt of this letter, that I should transmit it to my government for its information.

I am, sir, very respectfully, your obedient servant,

LEWIS CASS

HON. DANIEL WEBSTER,

Secretary of State, Washington.

[Translation.]

PARIS, May 26, 1842.

GENERAL: I had received some time since the letter which you did me the honor to write to me on the 13th of February, on the subject of the treaty signed on the 20th of December between the plenipotentiaries of France, Austria, Great Britain, Prussia, and Russia, with the view of arriving at a more effectual suppression of the negro slave trade. In expressing to me therein your desire that the King's government should not ratify this treaty, you said to me that you were about to inform your government of a step which you had thought it your duty to take, without authority, on your own responsibility; and

that, as soon as you should have learned of its approval or disavowal, you would hasten to apprise me.

I have just received, with your letter of the 3d of this month, a copy of that which Mr. Webster has written to you, to announce to you the approval given by the President to your despatch of the 13th of February; and this despatch, having thus acquired an official character, which up to this time it wanted, I think I ought not longer to defer an answer, which before would have seemed to me premature.

You expressed to me, sir, an anxiety lest the treaty of the 20th of December should constitute, on the part of the contracting parties, an engagement to create a new principle of international law, which should subject the vessels, even of those nations which had not participated in the arrangement, to a right of search (*visite*) as established by its stipulations.

The treaty in question not having been ratified by the King's government, and consequently not existing at this time, as far as France is concerned, I might abstain from entering into any explanation on the subject. But the friendly relations established between France and the United States make it my duty to anticipate, by free and complete explanations, all misunderstanding; and, moreover, we have always been actuated in this matter by motives too correct and honest not to seize with eagerness an occasion to make them manifest.

It does not belong to me to discuss the value of the inferences in regard to the private views of the cabinet at London, which you draw from certain passages in the despatches written by Lord Palmerston and by Lord Aberdeen to Mr. Stevenson; but I shall not hesitate to say what is the idea of the King's government on the grave question which you raise.

The treaty of the 20th of December, 1841, whatever may be its destiny, is founded on no principles different from those of the conventions of 1831 and 1833.

The stipulations of these conventions bound France and England alone. The treaty of December 20 extends them to Austria, Prussia, and to Russia, making in them some changes more or less important, but which do not alter their nature. To be able to deduce from them the very extraordinary intention of imposing on other States an obligation to submit to them, it is necessary that this intention, which is in nowise indicated by the treaty of the 20th December, should result from the previous conventions. Never have we so understood them—never could we so understand them.

I hesitate the less, sir, in giving here a formal and, in my opinion, altogether superfluous assurance, that the King's government, on its part, places entire confidence in the firm resolution, so often proclaimed by the Federal government, of concurring most sincerely in the efforts for the final abolition of the slave trade.

Mr. Webster's despatch, which you have done me the honor to communicate to me, is of a nature still further to increase this confidence. It seems to indicate, in fact, that the cabinet of Washington perceives the possibility of concluding with those States which have adhered to the reciprocal right of search for the suppression of slave trade, some arrangements calculated to attain the end which they have proposed to themselves.

We should attach so much the more value to this concurrence as, at the same time that it would hasten the entire annihilation of the trade, its effect, by placing all governments in the same situation with regard to the

measures adopted for this purpose, would be to afford the maritime rights and the commercial activity of all nations guarantees of security difficult to obtain in the midst of the complications and the causes of collision which would necessarily result from an opposition or a diversity of systems.

However this may be, shall this hope prove vain, shall the United States persist in their isolation, we trust that they will regard it as a sacred duty to prevent this isolation from afflicting to an infamous traffic too many opportunities of impunity.

Accept, general, the assurance of the high consideration with which I have the honor to be your very humble servant,

GUIZOT.

General Cass, Envoy Extraordinary, &c.

On Gen. Cass's return home, the citizens of Boston, comprising some of the most prominent and distinguished of both parties, tendered him a public dinner as an evidence of their approbation of his public conduct while our minister abroad. The following is the letter of invitation addressed to him:

Boston, December 7, 1842.

SIR: The undersigned, citizens of New England, would congratulate your excellency on your safe return to your native country, after your FAITHFUL SERVICES AND ENERGETIC PROCEEDINGS at an important crisis in your distinguished mission; and respectfully request that you will give them and their fellow-citizens an opportunity of expressing personally the high respect which your PUBLIC CAREER AND PRIVATE VIRTUES have uniformly inspired.

Returning, as you do, with the approbation of that generous people who were first, and for a long time, the only friends of our fathers, we would prefer that the meeting should be at such time as would suit your convenience, in Faneuil Hall—the spot associated most nearly with the dangers in which both nations participated, and the place in which, of all others, Americans would desire to welcome HER DESERVING SONS.

We are, with sentiments of the highest consideration, your excellency's most obedient servants,

Samuel T. Armstrong,	S. Austin, jr.,
David Henshaw,	F. Haven,
Robert G. Shaw,	John B. Jones,
Bradford Sumner,	Nathaniel Greene,
Abbott Lawrence,	Samuel F. Coolidge,
N. Appleton,	A. E. Belknap,
Charles S. Green,	Isaac Livermore,
Thomas Motley,	George Parkman,
William Sturgis,	Samuel Dana,
Josiah Quincy, jr.,	John Dawson,
Joseph Tilden,	Robert Hooper,
Daniel P. Parker,	Charles Henshaw,
Peter O. Thacher,	Thaddeus Nichols,
Josiah Bradley,	Geo. B. Thacher,
Thomas B. Wells,	David Sears.

To his excellency LEWIS CASS.

Here we find, among the most distinguished democrats and whigs of Boston, several whig members of Congress from Massachusetts, the name of *Abbott Lawrence*—a whig candidate for the vice presidency, and who received from the whig convention 109 votes as a candidate for that office. These gentlemen, it will be seen, welcomed Gen. Cass as a deserving son, for whose public career and private virtues they have a high respect, and they bear testimony to his faithful services and energetic proceedings at an important crisis in his distinguished mission—alluding to his efforts against the famous quintuple treaty.





